12-27-05

+ lease type a plus sign (+) inside this box → PTO/SB/21 (05-03) Approved for use through 04/30/2003. OMB 065/1-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE r the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 10/719,007 November 20, 2003 Filing Date TRANSMITTAL JOHNSON, RANDOLPH MELLUS First Named Inventor **FORM** Group Art Unit 1614 (to be used for all correspondence after initial filing) **Examiner Name** Gharli, Isis A.D. Attorney Docket Number **DURE-007CON2** Total Number of Pages in This Submission ENCLOSURES (check all that apply) Fee Transmittal Form Assignment Papers After Allowance Communication (for an Application) to Group Credit Card Payment Form Drawing(s) Appeal Communication to Board of Appeals and Interferences Amendment / Reply Licensing-related Papers After Final Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Petition Affidavits/declaration(s) Proprietary Information Petition to Convert to a Extension of Time Request **Provisional Application** Status Letter **Express Abandonment Request** Power of Attorney, Revocation Change of Correspondence Information Disclosure Statement Other Enclosure(s) (please Address identify below): SB08A Form (total 3 pgs.) Terminal Disclaimer 3 References Certified Copy of Priority Request for Refund **Documents Postcard** CD, Number of CD(s Response to Missing Parts/ Incomplete Application Remarks Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Signing Attorney/Agent CAROL L. FRANCIS, 36,513 (Reg. No.) BOZICEVIC, FIELD & FRANCIS, LLP Signature December 22, 2005 Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Information Disclosure
STATEMENT
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Attorney Docket	DURE-007CON2	
First Named Inventor	JOHNSON, RANDOLPH MELLUS	
Application Number	10/719,007	
Filing Date	November 20, 2003	
Group Art Unit	1614	
Examiner Name	Ghali, Isis A.D.	

Title: "DEVICES AND METHODS FOR PAIN MANAGEMENT"

Sir:

This is an Information Disclosure Statement submitted for the Examiner's consideration. This is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in §1.491 in an international application or *after* the mailing date of the first Office Action on the merits, whichever event occurred last, but *before* the mailing date of either a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.

A Form PTO-SB/08A listing the references accompanies this paper. Applicants would appreciate the Examiner's initialing and returning the form to indicate that the references have been reviewed and made of record.

- X All of the references identified herein are being submitted prior to the final determination on patentability by the Office.
- All of the references identified herein were cited in an International (PCT) Search Report dated \*, in a PCT application corresponding to the above-identified U.S. application. A copy of the Search Report, including an indication of the purported relevance of the cited documents, is enclosed herewith. Copies of the references are submitted herewith.
- All of the references identified herein were disclosed in parent application Serial No. 10/306,727 and, as such, copies thereof are not included pursuant to the provisions of 37 C.F.R. §1.98(d), except if noted below.

This Information Disclosure Statement is not intended as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one of the above references constitutes prior art to the present application within the meaning of 35 U.S.C. §102.

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Atty Dkt. No.: DURE-007CON2

USSN: 10/719,007

X Please charge the \$180.00 fee required by 37 C.F.R. §1.97(c) and set forth in 37 C.F.R. 1.17(p) and any additional fees which may be required by this paper or any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21, or to credit any overpayment, to Deposit Account No. 50-0815, order number DURE-007CON2.

Respectfully submitted, BOZICEVIC, FIELD & FRANCIS LLP

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## INFORMATION DISCLOSURE

STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known				
Application Number	10/719,007			
Filing Date	November 20, 2003			
First Named Inventor	JOHNSON, RANDOLPH MELLUS			
Art Unit	1614			
Examiner Name	Ghali, Isis A.D.			
Attorney Docket Number	DURE-007CON2			

	U.S. PATENT DOCUMENTS				
Examiner Initials'	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 5,728,396	03/17/1998	Peery, et al.	
		US- 5,839,480	11/24/1998	Sarfati	
		US- 5,839,497	11/24/1998	Fujino, et al.	
		US- 5,861,248	01/19/1999	Russell, et al.	
		US- 5,866,164	02/02/1999	Kuczynski, et al.	
		US- 6,395,292	05/28/2002	Peery, et al.	
		US- 6,835,194	12/28/2004	Johnson, et al.	
		US- 2003/0088236	05/08/2003	Johnson, Randolph Mellus, et al.	

	FOREIGN PATENT DOCUMENTS					
		Foreign Patent Document			Pages, Columns, Lines, Where Relevant	
Examiner Initials'	Cite No.1	Country Code <sup>3</sup> –Number <sup>4</sup> –Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Passages or Relevant Figures Appear	T <sup>6</sup>
		AU 769314	04/06/2004	Durect Corporation		
		WO 97/49402	12/31/1997	Janssen Pharm		<del> </del>
		WO 00/54745	9/21/2000	Durect Corporation		

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²	

Examiner	Date
Signature	Considered

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.